

A Juror's Guide

Prepared by the Superior Court Judges' Association and the District & Municipal Court Judges' Association of the State of Washington

Welcome to jury service!

Your job as a juror is to listen to all the evidence presented at trial, then "decide the facts"-- decide what really happened. The judge's job is to "decide the law" -- make decisions on legal issues that come up during the trial. All must do their job well if our system of trial by jury is to work.

You do not need special knowledge or ability to do your job. It is enough that you keep an open mind, use common sense, concentrate on the evidence presented, and be fair and honest in your deliberations.

Remember: Don't be influenced by sympathy or prejudice. It is vital that you be impartial with regard to all testimony and ideas presented at the trial.

We hope you find your experience as a juror interesting and satisfying. Thanks for your willingness to serve!

How was I chosen?

First, your name was selected at random from voter registration and driver's license and "identocard" records. Then, your answers to the juror questionnaire were evaluated to make sure you were eligible for jury service.

To be eligible, you must be at least 18 years of age, a citizen of the United States, a resident of the county in which you are to serve as a juror, and you must be able to communicate in English. If you have ever been convicted of a felony, you must have had your civil rights restored. Those eligible may be excused from jury service if they have illnesses that would interfere with their ability to do a good job, would suffer great hardship if required to serve, or are unable to serve for other legitimate reasons.

In short, you were chosen because you are eligible and able to serve. You are now part of the "jury pool" -- a group of citizens from which trial juries are chosen.

What's next?

In the courtroom, your judge will tell you about the case, then introduce the lawyers and others who are involved in it. You will also take an oath, in which you will promise to answer all questions truthfully.

After you're sworn in, the judge and the lawyers will question you and other members of the panel to find out if you have any knowledge about the case, any personal interest in it, or any feelings that might make it hard for you to be impartial. This questioning process is called *voir dire*, which means "to speak the truth."

Though some of the questions may seem personal, you should answer them completely and honestly.

If you are uncomfortable answering them, tell the judge and he/she may ask them privately.

Remember: Questions are not asked to embarrass you. They are intended to make sure members of the jury have no opinions or past experiences which might prevent them from making an impartial decision.

How long will I serve?

How many days and hours you work as a juror depends on the jury selection system in your county. The judge may vary daily working hours to accommodate witnesses who have special travel or schedule problems.

You may be struck by how much waiting you have to do. For example, you may have to wait before you are placed on a jury. During trial, you may have to wait in the jury room while the judge and the lawyers settle questions of law.

Judges and other courtroom personnel will do everything they can to minimize the waiting both before and during trial. Your understanding is appreciated.

Can I go home during the trial?

Usually. But in extremely rare cases, you may be “sequestered” during the trial or during jury deliberations. This is done to assure that jurors don’t hear or see something about the case that wasn’t mentioned in court.

Might I be called but not sit on a jury?

Yes. Sometimes parties in a case settle their differences only moments before the trial is scheduled to begin. In such instances you will be excused with the thanks of the court.

What should I wear?

Dress comfortably. Suits, ties and other, more formal wear are not necessary. But don’t get too informal -- beach wear, shorts, halter or tank tops are not appropriate in court. Hats may not be allowed unless worn for religious purposes.

If I’m physically challenged....?

Judges and employees of Washington courts are committed to making jury service accessible to everyone. Though some courthouses are outdated and do not meet modern, American Disability Act standards, attempts to accommodate all jurors will be made. Remember: If you have a hearing, sight or mobility problem, ask a member of the court staff for help.

What about my job?

Washington law says employers, “shall provide an employee with sufficient leave of absence from employment when that employee is summoned” for jury duty. It also says employers, “shall not deprive an employee of employment or threaten, coerce, or harass an employee or deny an employee promotional opportunities” for serving as a juror. It does *not* say your employer has to pay you while you serve.

What if I have an emergency?

Because your absence could delay a trial, it is important that you report each day you are required to. If a real emergency occurs -- a sudden illness, accident or death in the family -- tell the court staff immediately so that the trial can be scheduled around you.

What types of cases may I hear?

Jury cases are either *criminal* or *civil*.

Civil cases

Civil cases are disputes between private citizens, corporations, governments, government agencies, or other organizations. Usually, the party that brings the suit is asking for money damages for some alleged wrong that has been done. For example, a homeowner may sue a contractor for failure to fix a leaky roof. People who have been injured may sue the person or company they feel is responsible for the injury.

The party that brings the suit is called the *plaintiff*, the one being sued is called the *defendant*. There may be a number of plaintiffs or defendants in the same case.

Criminal cases

A criminal case is brought by the state, or a city or county against one or more persons accused of committing a crime. In these cases, the state, city, or county is the *plaintiff*; and the accused person is the *defendant*. The defendant is informed of the charge, or charges called a *complaint* or *information*.

What happens during a trial?

Events in a trial usually happen in a particular order, though the order may be changed by the judge. Here's the usual order of events:

Step 1:	Selection of the jury
Step 2:	Opening statements
Step 3:	Presentation of evidence
Step 4:	Jury instructions
Step 5:	Closing arguments
Step 6:	Jury deliberations
Step 7:	Announcement of the verdict

Some do's and don'ts

During trial:

1. **DO** arrive on time and **DO** return promptly after breaks and lunch. The trial cannot proceed until all jurors are present.
2. **DO** pay close attention. If you cannot hear what is being said, raise your hand and let the judge know.
3. **DO** keep an open mind all through the trial.

4. **DO** listen carefully to the instructions read by the judge. Remember, it is your duty to accept what the judge says about the law to be applied to the case.
5. **DON'T** try to guess what the judge thinks about the case. Remember that rulings from the bench do not reflect the judge's personal views.
6. **DON'T** talk about the case, or issues raised by the case with *anyone*--including other jurors--while the trial is going on, and **DON'T** let others talk about the case in your presence, even family members. If someone insists on talking to you or another juror about the case, please report the matter to a court employee. These rules are designed to help you keep an open mind during the trial.
7. **DON'T** talk to the lawyers, parties, or witnesses about *anything*. This will avoid the impression that something unfair is going on.
8. **DON'T** try to uncover evidence on your own. Never, for example, go to the scene of an event that was part of the case you are hearing. You must decide the case *only* on the basis of evidence admitted in court.
9. **DON'T** let yourself get information about the case from the news media or any other outside source. Even if news reports are accurate and complete, they cannot substitute for your own impressions about the case. If you accidentally hear outside information about the case during trial, tell a member of the court staff in private.
10. **DON'T** take notes during the trial unless the judge gives you permission to do so.

During deliberation:

1. **DO** work out differences between yourself and other jurors through complete and fair discussions of the evidence and of the judge's instructions. **DON'T** lose your temper, try to bully or refuse to listen to the opinions of other jurors.
2. **DON'T** mark or write on exhibits or otherwise change or injure them.
3. **DON'T** try to guess what might happen if the case you have heard is appealed. Appellate courts deal only with legal questions--they will not change your verdict if you decided the facts based on proper evidence and instructions.
4. **DON'T** draw straws, flip coins or otherwise arrive at your verdict by chance, or the decision will be illegal. It is also improper for a jury to determine damage awards by averaging the amounts calculated by each individual juror.
5. **DON'T** talk to *anyone* about your deliberations or about the verdict until the judge discharges the jury. After discharge, you may discuss the verdict and the deliberations with anyone, including the media, the lawyers, or your family. But **DON'T** feel obligated to do so -- no juror can be forced to talk without a court order.

Washington Courts

The Supreme Court

Six-year terms

- Appeals from the Court of Appeals
- Administers state court system

Court of Appeals

Six-year terms

Division I, Seattle
Division II, Tacoma
Division III, Spokane

- Appeals from lower courts except those in jurisdiction of the Supreme Court.

Superior Court

Four-year terms

30 judicial districts

- Civil matters
- Domestic relations
- Felony criminal cases
- Juvenile matters
- Appeals from courts of limited jurisdiction

Courts of Limited Jurisdiction

Four-year terms

District and Municipal Courts

- Misdemeanor criminal cases
- Traffic, non-traffic, and parking infractions
- Domestic violence protection orders
- Civil actions of \$50,000 or less
- Small claims